

TOWN OF NEWSTEAD
ZONING BOARD OF APPEALS
MINUTES of March 13, 2001

Present: Corky Keppler, Chairman
 Clark Killian
 Bill Kaufman Don Folger, Code Enforcement Officer
 Ike Cummings Rebecca Baker, Recording Secretary
 Scott Chaffee

The public hearing to hear comments for or against the area variance request by McDonalds to construct a restaurant 50 ft. from the ROW instead of 65 ft. was opened at 7:00pm.

Pledge to the flag was said.

Clerk read proof of publication.

No prior comments for or against had been received.

Tim Arlington from Apex Consulting represented McDonalds. He provided a site layout for the board to review. The area variance request was made for three reasons: better visibility, a longer queing line for the drive through and because the front of the building is wasted space, allowing utilization of the rear for parking and drive through access. There will still be a 25 ft. high sign out front. The extra land purchased to the rear will be used for the retention pond and sewage disposal system. McDonalds is also planning on leaving the woods to the rear as a buffer between them and any potential development. The board inquired if there were any plans to connect the UniMart parking lot and McDonald's parking lot. As it currently stands, there are no such plans. Mr. Arlington believes the DOT will only allow one entrance not the two that were requested.

Dave Wakeman, 5860 Crittenden Rd., At the 65 ft. setback, McDonalds will already be closer to the road than UniMart. He also mentioned that a left turning lane was included in the new Main Rd. design. Also, the DOT has already asked UniMart to relocate their sign.

The zoning board mentioned that the corner of Main Rd. and Buell St. is a traffic problem as it is now. Safety is a major concern. Mr. Folger asked if the board was interested in waiting for comments from the DOT.

Mina Zimmerman spoke, stating she feels it is the driver's responsibility not the buildings to ensure safety and is pleased that the Town is coming forward 50 yrs.

Being there was no one further to speak for or against, the hearing was closed at 7:30pm.

The board discussed the variance request regarding the subdivision on Rapids Rd. from the previous meeting. Mr. Folger provided information from previous variance requests regarding smaller lots. The smallest to date was a 50 ft. frontage on Schutt Rd. With the neighboring house toward the front of the lot, concern about the septic system contaminating any future water wells, was mentioned. Ike motioned to deny the variance request because the 29 ft. frontage was just too small, Scott seconded, Corky, and Bill agreed. Clark voted ney.

After further discussion regarding McDonald's request, Scott motioned to deny the request, Ike seconded, based on the following issues;

*Traffic congestion and confusion on Main Rd. especially at the corner

*Setting precedent (further development will also want to be closer or at the very least as close as McDonalds)

*Visibility for cars stopped at the light on Buell St.

All approved.

Respectfully submitted by,
Rebecca K. Baker,
Recording Secretary